

Message Text

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ORIGIN PM-04

INFO OCT-01 AF-06 EA-07 ISO-00 DODE-00 L-03 CIAE-00 INR-07

NSAE-00 SS-15 NSC-05 MC-02 ACDA-05 PA-01 USIA-06

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EA/ANP - MR. MICHAUD

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L/PM - MR. BOREK

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R 192114Z NOV 75

FM SECSTATE WASHDC

TO AMEMBASSY CANBERRA

AMEMBASSY LAGOS

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E.O. 11652:N/A

TAGS: MASS, UK, AS, US

SUBJECT: AUSTRALIAN SALE OF AMMUNITION TO GON

1. THE DEPARTMENT HAS RECEIVED A LETTER OF REQUEST FROM THE EMBASSY OF AUSTRALIA TO APPROVE THE SALE OF 59,000 ROUNDS OF 105MM AMMUNITION AND 70,000 FUZES FOR 105MM AMMUNITION BY THE GOVERNMENT OF AUSTRALIA TO THE GOVERNMENT OF NIGERIA. THE AUSTRALIAN ARMY HAD PURCHASED THIS AMMUNITION FROM THE USG AND IN ACCORDANCE WITH THE FOREIGN MILITARY SALES ACT, USG APPROVAL IS REQUIRED FOR TRANSFER OF U.S. ORIGIN EQUIPMENT/MUNITIONS TO A THIRD COUNTRY.

2. FOR CANBERRA: YOU MAY INFORM APPROPRIATE AUSTRALIAN
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OFFICIALS THAT USG IS PREPARED TO APPROVE SALE OF 59,000

ROUNDS OF 105MM AMMUNITION AND 70,000 FUZES PENDING OUR RECEIPT OF STANDARD TRANSFER ASSURANCES IN WRITING FROM THE GOVERNMENT OF NIGERIA. IN ADDITION, UNDER SECTION 3(A) OF FOREIGN MILITARY SALES ACT, WE HAVE NOTIFIED CONGRESS IN ADVANCE OF OUR APPROVING THE AMMUNITION TRANSFER. WHILE WE ANTICIPATE NO DIFFICULTIES WITH ABOVE TWO REQUIREMENTS, YOU SHOULD EMPHASIZE TO AUSTRALIANS THAT USG FINAL APPROVAL

CAN NOT BE PROVIDED UNTIL BOTH OF THESE STEPS ARE COMPLETED.

3. FOR LAGOS: EMBASSY IS REQUESTED TO OBTAIN FROM THE GON THIRD-PARTY TRANSFER ASSURANCES IN WRITING AS FOLLOWS: "THE MINISTRY OF FOREIGN AFFAIRS OF THE GOVERNMENT OF NIGERIA PRESENTS ITS COMPLIMENTS TO THE EMBASSY OF THE UNITED STATES OF AMERICA AND HAS THE HONOR TO CALL TO THE ATTENTION OF THE EMBASSY THE PROPOSED PURCHASE BY GON OF 59,000 ROUNDS OF 105MM AMMUNITION AND 70,000 FUZES FOR 105MM AMMUNITION FROM THE GOVERNMENT OF AUSTRALIA. THE GON UNDERSTANDS THAT THE CONSUMMATION OF THIS TRANSACTION IS DEPENDENT UPON THE RECEIPT BY THE GOVERNMENT OF AUSTRALIA OF WRITTEN CONSENT TO THE SALE FROM THE GOVERNMENT OF THE UNITED STATES, AND FURTHER UNDERSTANDS THAT IN KEEPING WITH UNITED STATES LAW AND REGULATIONS, THE GOVERNMENT OF THE UNITED STATES MAY GIVE SUCH CONSENT ONLY UPON BEING FURNISHED WITH ASSURANCES FROM GON THAT IT WILL NOT TRANSFER BY ANY MEANS SUCH DEFENSE ARTICLES TO ANY OTHER COUNTRY, INTERNATIONAL ORGANIZATION, OR PERSON WITHOUT FIRST OBTAINING THE WRITTEN CONSENT OF THE GOVERNMENT OF THE UNITED STATES. IN ACCORDANCE WITH THE FOREGOING, GON HEREBY GIVES ITS ASSURANCES THAT IT WILL NOT TRANSFER THE AMMUNITION WHICH IT PROPOSES TO PURCHASE FROM THE GOVERNMENT OF AUSTRALIA BY SALE, LEASE, RELEASE, ASSIGNMENT, LOAN, CONVEYANCE, OR ANY OTHER MEANS TO ANOTHER GOVERNMENT; INTERNATIONAL ORGANIZATION, OR PERSON WITHOUT FIRST OBTAINING THE WRITTEN APPROVAL OF THE UNITED STATES GOVERNMENT. (FORMAL CLOSE)." PLEASE INFORM DEPARTMENT WHEN ABOVE ASSURANCES ARE RECEIVED AND PROVIDE COPY OF TEXT BY POUCH. (ATTENTION: PM/SAS). KISSINGER

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Margaret P. Grafeld
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